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9
10 Attorney for Defendant
11 EUGENE WILLIAMS

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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,) No. 2:04-cr-0336 LKK
18 Plaintiff,)
19 v.) STIPULATION AND ORDER CONTINUING
20) CASE
21 EUGENE WILLIAMS,)
22 Defendant.) Date: September 7, 2005
23) Time: 9:30 a.m.
24) Judge: Hon. Lawrence K. Karlton
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31 **IT IS HEREBY STIPULATED** by and between Assistant United States
32 Attorney Kymberly A. Smith, counsel for Plaintiff, and Assistant
33 Federal Defender Jeffrey L. Staniels, counsel for defendant that the
34 above case, which is currently scheduled for judgment and sentencing on
35 September 7, 2005, be continued until September 20, 2005, on this
36 court's criminal calendar, due to the unavailability of the defendant.

37 In earlier proceedings before this court, Mr. Williams pled guilty
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1 to the charge in the indictment. Thereafter the case was transferred
2 to the District of Kansas for consolidation with a pending federal
3 case. The District Court in Kansas, however, declined to accept the
4 case for sentencing and ordered the matter returned to this district.
5 In the meantime, Mr. Williams was designated and transferred to the
6 custody of the Bureau of Prisons for service of a sentence imposed in
7 the district of Kansas.

8 Because of the schedule of the U.S. Marshal's air transportation
9 connections, and the timing of receipt by the Marshal's service of a
10 request that Mr. Williams be brought to Sacramento, Mr. Williams cannot
11 be present before approximately September 15, 2005.

12 **IT IS SO STIPULATED.**

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15 Dated: September 6, 2005

/S/ Kymberly A. Smith*

Kymberly A. Smith
Assistant United States Attorney
Counsel for Plaintiff
* by jls per oral authorization

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19 Dated: September 6, 2005

/S/ Jeffrey L. Staniels

JEFFREY L. STANIELS
Assistant Federal Defender
Attorney for Defendant
EUGENE R. WILLIAMS

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22 **O R D E R**

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24 **IT IS SO ORDERED.**

25 By the Court,

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27 Dated: September 6, 2004

/s/Lawrence K. Karlton

Hon. Lawrence K. Karlton
Senior United States District Judge